



8-22-05

\$ RCE 1644

Express Mail No. EV531747383US

PTO/SB/30 Revised (5/20/00)

Approved for use through xx/xx/xxx OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/972,268
Filing Date	October 5, 2001
First Named Inventor	Peter R. Baum
Group / Art Unit	1644
Examiner Name	Maher M. Haddad
Attorney Docket No.	3101-A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s) 08/23/2005 SHASSEN1 00000026 090089 09972268
- iii. ☐ Information Disclosure Statement (IDS) 01 FC:1801 790.00 DA
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0089
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00.
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) in the amount of \$450.00. If an additional extension of time is required, please consider this a request therefor.
- iii. ☐ Other 08/23/2005 SHASSEN1 00000026 090089 09972268
- b. ☐ Check in the amount of \$ _____ is enclosed. 02 FC:1252 450.00 DA
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

NAME (Print/Type)

Susan E. Lingenfelter

Registration No. (Attorney/Agent)

41,156

SIGNATURE

Susan E. Lingenfelter

Date:

August 18, 2005



Express Mail No. EV531747383US

PATENT APPLICATION**SEE AUTHORIZATION / AMENDMENT TRANSMITTAL**

Attorney's Docket No: 3101-A

Serial No. 09/972,268	Filing Date October 5, 2001	Examiner Maher M. Haddad	Group Art Unit 1644
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In Re Application of Peter R. Baum, William C. Fanslow III, Timothy E. Lofton, Eric A. Sorensen, and Adel Youakim

For NECTIN POLYPEPTIDES

TO THE COMMISSIONER FOR PATENTS:

- ☐ Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a):
- ☐ One month of original due date (\$120.00)
 - ☐ Two months of original due date (\$450.00)
 - ☐ Three months of original due date (\$1,020.00)
 - ☐ Four months of original due date (\$1,590.00)
 - ☐ Five months of original due date (\$2,160.00)
- ☒ A response:
- ☒ is filed herewith.
 - ☐ has been filed.
 - ☐ The response is the filing of a continuing application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application.
- ☐ The accompanying papers include amended claims for which no additional fee is required.
- ☒ The accompanying papers include amended claims the fee for which has been calculated as follows:

CLAIMS AS AMENDED

(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims	55	Minus	53	= 2	x \$50	= \$100.00
Indep. Claims	6	Minus	6	= 0	x \$200	= \$ 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$360	= \$ 0.00
Total Additional Fee for this Amendment						\$100.00

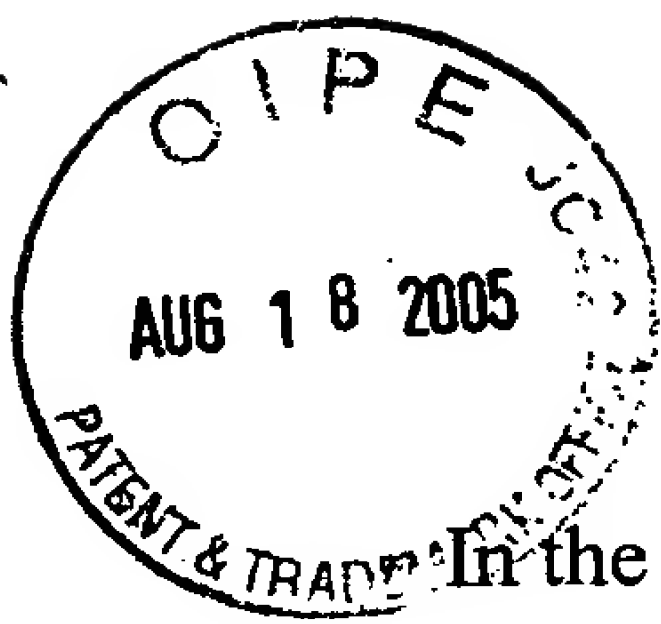
- * If the entry in column 2 is less than the entry in column 4, write "0" in column 5.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.

- ☐ The following other fees are incurred by the accompanying papers.
- ☐ Other: _____
- ☒ Please charge Deposit Account No. 09-0089 in the name of Immunex Corporation in the amount of \$100.00. A duplicate copy of this petition is attached.
- ☒ If an additional extension of time is required, please consider this a request therefore.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 09-0089.

Please Send Future Correspondence To:

22932Immunex Corporation
Law Department
1201 Amgen Court West
Seattle, Washington 98119-3105
(206) 265-7000

Susan E. Lingenfelter
Attorney/Agent for Applicant(s)
Registration No.: 41,156
Phone: (206) 265-7340
Date: August 18, 2005



EXPRESS MAIL NO. EV531747383US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Peter R. Baum et al.

Docket No.: 3101-A

Serial No.: 09/972,268

Group Art Unit: 1644

Filing Date: October 5, 2001

Examiner: Maher M. Haddad

For: NECTIN POLYPEPTIDES

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated March 22, 2005, please amend the above identified as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.

08/23/2005 SHASSEN1 00000027 090089 09972268

01 FC:1202 100.00 DA

AUG 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Peter R. Baum et al.

Attorney Docket No. : 3101-A

Serial No.: 09/972,268

Examiner: Maher M. Haddad

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For: NECTIN POLYPEPTIDES

CERTIFICATE OF MAILING BY EXPRESS MAIL

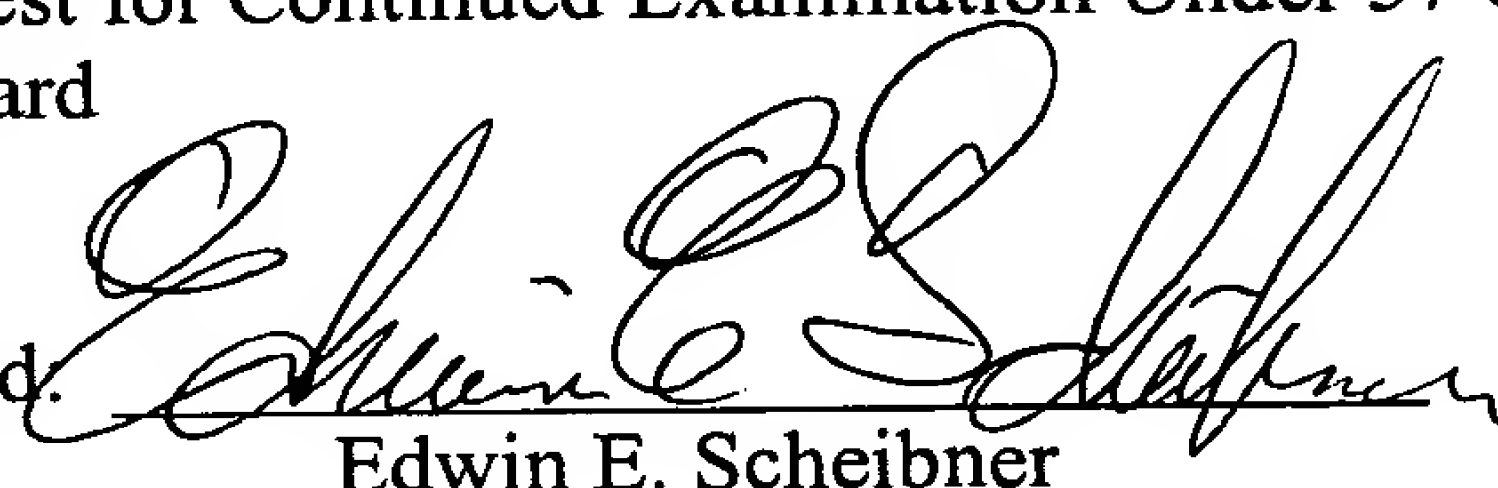
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Commissioner for Patents
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Alexandria, VA 22313-1450

EXPRESS MAIL LABEL NUMBER: EV531747383US

I hereby certify that the enclosed correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date listed below, and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Request for Continued Examination (RCE) Transmittal (1 pg + copy)
Amendment Transmittal (1 pg + copy)
Request for Continued Examination Under 37 CFR 1.114 (18 pgs)
Postcard

Signed:


Edwin E. Scheibner

Date:

8-18-05